

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AMI NICOLE ROBBINS,

Plaintiff

V.

GARRISON PROPERTY AND
CASUALTY,

Defendant

Case No.: 2:23-cv-00712-APG-EJY

Order

Defendant Garrison Property and Casualty removed this action from state court based on diversity jurisdiction. I previously ordered Garrison to show cause why this action should not be remanded for lack of subject matter jurisdiction because the amount in controversy requirement was not satisfied. ECF No. 5. Based on my judicial, legal, and practical experience and common sense, I find it unlikely that the amount in controversy exceeds \$75,000. Prior to filing suit, the plaintiff demanded the \$50,000 policy limit based on \$73,916.00 in medical bills. *See* ECF No. 10-1. However, the plaintiff recovered \$100,000 from the tortfeasor's insurer. ECF Nos. 10 at 3; 10-2. Garrison has not proved by a preponderance of the evidence that, considering this offset, more than \$75,000 is a reasonable estimate of the plaintiff's damages.

I THEREFORE ORDER that this action is remanded to the state court from which it was removed for all further proceedings. The clerk of the court is instructed to close this case.

DATED this 10th day of June, 2023.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE